

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

---

UNITED STATES OF AMERICA,

Petitioner,

v.

JEFFREY P. HEIST,

Respondent.

---

ORDER

18-cv-956-jdp

In a January 16, 2019 order, I granted the government's motion to enforce an Internal Revenue Service summons against respondent Jeffrey P. Heist. Dkt. 14. Heist now appears to be attempting to assert counterclaims against several parties, including me, and he requests that the clerk of court issue a subpoena directed to an IRS official. *See* Dkt. 20.

I am currently reviewing Heist's filings. Although Heist names me as a proposed defendant on a counterclaim, I will not recuse myself from the case simply because I have issued rulings against him. *See In re Specht*, 622 F.3d 697, 700 (7th Cir. 2010) (courts are not forced to succumb to "easy manipulation" of recusal rules by mandating that judge step aside when plaintiff names judge as defendant). I will shortly issue an order addressing Heist's proposed counterclaim. But until then, I am directing the clerk of court to hold off on issuing any subpoenas.

ORDER

IT IS ORDERED that the clerk of court is directed to withhold the issuance of respondent's proposed subpoena until the court rules on respondent's proposed counterclaims.

Entered February 1, 2019.

BY THE COURT:

/s/

---

JAMES D. PETERSON  
District Judge